

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

John Ley
Clerk of Court

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January 04, 2013

MEMORANDUM TO COUNSEL OR PARTIES

Appeal Number: 10-14920-P
Case Style: Wydell Evans v. Secretary DOC
District Court Docket No: 6:07-cv-00897-JA-KRS

Enclosed is a copy of the court's decision filed today in this appeal. Judgment has this day been entered pursuant to Rule 36 of the Federal Rules of Appellate Procedure. Enclosed is a copy of the court's decision filed today in this appeal. Pursuant to the en banc court's opinion remanding the appeal to the panel for further consideration, judgment has not yet been entered, pending disposition by the panel on remand. Counsel will be advised should the panel desire further briefing.

For questions concerning the issuance of the decision of this court, please call the number referenced in the signature block below. For all other questions, please call Jenifer L. Tubbs at 404-335-6166.

Sincerely,

JOHN LEY, Clerk of Court

Reply to: Carolyn PR Magers
Phone #: 404-335-6200 or 335-6181

OPIN-5 Issuance of En Banc Opinion